



Legality

"A seminal publication of Şengün Group"

August 2022 | E- Bulletin

**Flexible Work Arrangements
Across the World**

Tips for Foreign Investors

**Guest Sector:
Digital Banking**

News to the World

News from Şengün



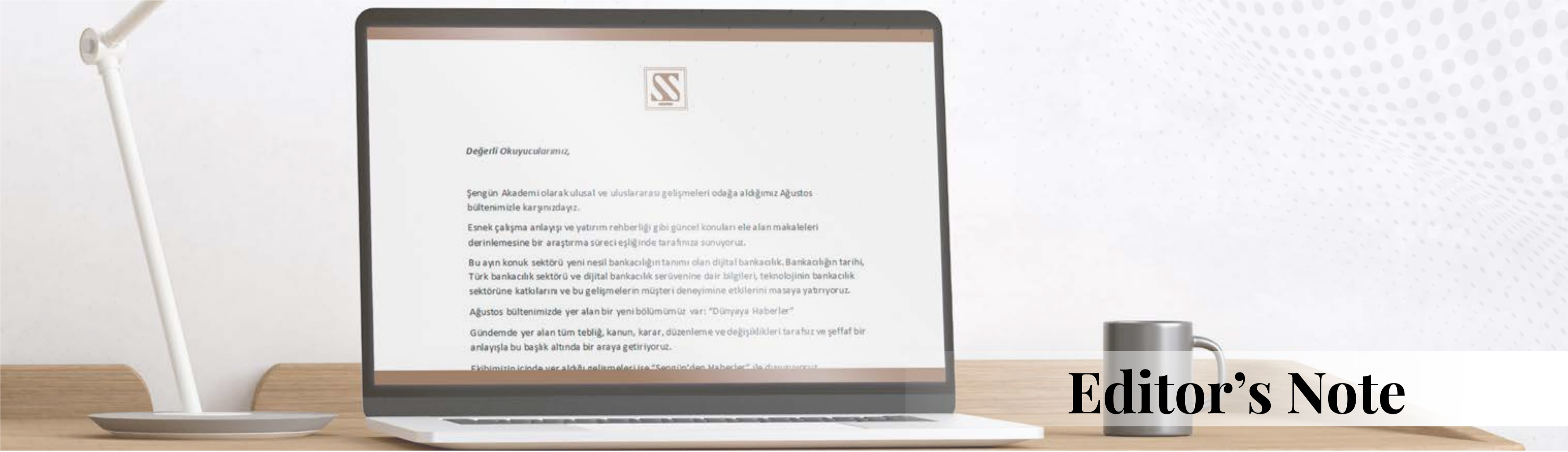
www.sengungroup.com

www.sengunpartners.com

www.sengunalsp.com

4	Editor's Note
8	Articles Flexible Work Arrangements Across the World Begüm İçten, Senior Associate
12	Tips for Foreign Investors Birgi Sucuer, Executive Associate
20	Guest Sector: Digital Banking Digital Transformation in the Banking Sector - Next Generation Banking İclal Arguç Demirtaş, Head of Technology and Business Development Departments
26	News to the World Communiqué on the Prevention of Unfair Competition in Imports (No: 2022/19)
26	Communiqué on the Prevention of Unfair Competition in Imports (No: 2022/20)
27	Communiqué on the Prevention of Unfair Competition in Imports (No: 2022/21)
28	Amendment to the Law on the Regulation of Electronic Commerce
29	Istanbul Finance Center Law

30	Decree on the Amendment to the Decree on the Transfer of Resources to Upper Funds (Decree No: 5628)
31	Communiqué (No: 2022/21) on the Amendment to the Communiqué on the Maintenance of Turkish Lira-Denominated Securities for Foreign Currency Liabilities (No: 2022/20)
32	Banking Regulation and Supervision Agency Decision No. 10250
36	News from Şengün Panel: "The Role of Supply Chain in the Future of the Automotive Industry"
37	Şengün Academy resumes training sessions
38	Bibliography



Editor's Note

Dear Reader,

You are invited to read the August issue of our newsletter, featuring Şengün Academy's unique selection of the latest news from around the globe.

In this issue, you will again find in-depth articles on contemporary topics, including flexible working and investing advice.

This month's guest sector is digital banking, sometimes referred to as next-generation banking. We will provide an overview of the history of banking, the Turkish banking industry, and the emergence of digital banking, addressing how new technologies affect both the banking industry and customer experience.

Our August issue also features a new section: "News to the World".

Here, we will deliver up-to-date, unbiased information on the latest communiqués, laws, decrees, regulations, and amendments.

You will find the most recent news from our team under "News from Şengün".

We are also excited to announce that Şengün Academy will resume its training programs as of August.

As you can see, Legality's August 2022 issue welcomes you with a curated collection of major developments from across the world.

Enjoy reading!

Istanbul, 01 August 2022
Şengün Academy



Articles



Flexible Work Arrangements Across the World

Accelerating technologies and globalization intensify our sense of increased competition in the business world. In recent years, companies have delivered products and services more efficiently with the reduction of economic barriers and the influence of the COVID-19 pandemic, which has necessitated a restructuring of work and responsibilities. As a result, executives have been driven to seek out new ways of working to sustain their businesses. Therefore, companies have turned to flexible working arrangements to boost employee satisfaction, which is critical for maintaining a high level of customer satisfaction in an increasingly competitive business landscape.

The flexible working system has emerged as a result of the latest innovations and technological advancements and replaced the regular concepts of work, workplace and overtime with flexible working hours to boost employee motivation by helping them work more freely without definite space and time boundaries.

The concept of “flexible working” has arisen with the introduction of new working arrangements and refers to a non-standard working style that can be tailored to the needs and expectations of the workplace, business, and personnel. According to Turkish Labor Law no. 4857, regular working hours are 45 hours per week, evenly divided among the business days. If there are six business days in a week, these hours can be increased to 11 hours each day, or 66 hours overall. However, in a flexible working arrangement, the employer and the employee can negotiate a working schedule based on their preferences regarding location, duration, and division of work.

The following are some of the most popular flexible working models around the world: Part-Time, Job Sharing, Flexitime, On-Call Work, Working from Home, Telework & Remote Work, Temporary Employment Relationship, Compressed Workweek, Smooth Transition into Retirement, Distributed Work, Shift Work, Mini Jobs (Micro Jobs), Billable Hours, Freelance Work, and Rotating Shifts.

While flexible working arrangements are born out of today’s business circumstances and employee demands, they still present a number of risks and disadvantages for employers and employees.

What are the Disadvantages and Risks of Flexible Working?

In Türkiye, Flexible Working is still a new concept. Even though the country has had regulations for this working model for some time, the system has begun to be widely adopted in the wake of the COVID-19 pandemic. As a result, employers and employees face challenges in this regard since they are not accustomed to this type of working.

To begin with, both employers and employees are having difficulties in adapting to the new system. Therefore, employees are sometimes unable to focus on their tasks while employers are having trouble assuring team collaboration.

Generally, employees working with a flexible working schedule perform their duties in spaces requiring less discipline, outside the workplace. As a result, they are exposed to various distractions and have difficulty in ensuring work-life balance, which prevents efficient time management. As such, employees can feel disengaged from their work and lose motivation.

Another key issue affecting both employers and employees is that when a business meeting is required, or there is a work-related problem, employees struggle to interact and collaborate with one another or employers. Since employers have less control on employees in this model, undesirable working conditions may also emerge in time.

Consequently, working in an environment without the regular workplace discipline and relationships increases work-related stress and causes loss of motivation, rather than boosting work motivation and productivity. Research shows that people working under a flexible schedule feel lower engagement; therefore, they work overtime to prove that they are working efficiently and experience more stress due to a sense of guilt, thus being more likely to struggle with depression.



Disadvantages of flexible working also include employees' seeking out new employment opportunities, switching jobs frequently, and holding multiple jobs at once due to their decreased commitment to both their job and their employer in addition to being uncertain about their future career path.

In practice, flexible working poses the greatest danger in terms of work accidents. A work accident does not have to occur at the workplace since accidents that occur outside the workplace during the performance of job duties are also categorized as work accidents. Therefore, under flexible working arrangements, the employer's liability can be difficult to determine even when all the necessary occupational health and safety precautions are in place.

Moreover, employees frequently take advantage of deficiencies that are witnessed in occupational health and safety measures due to challenges regarding the externalization of employment and the determination and limitation of the working environment. Indeed, we observe an increase in work accidents in case of employees working under a flexible arrangement.

In conclusion, flexible working arrangements that have emerged due to economic, social and technical changes in the labor market entail both advantages and disadvantages. As a result, employers and employees must weigh the advantages and disadvantages of flexible working and reach an agreement that meets their mutual needs and expectations.

Begüm İçten, Senior Associate





Tips for Foreign Investors

What Makes Türkiye a Good Investment

Foreign capital is vital today, particularly in emerging countries such as Türkiye, which frequently enact new legislation that streamlines and reduces investment procedures to attract foreign investors to key investment areas and to guarantee a smooth process.

Türkiye offers high return potential with the following advantages: a key geopolitical location linking Asia and Europe; a developing economy featuring a variety of industries and an average annual GDP growth rate of 5.4 percent; a sizable domestic market; free trade agreements; and local markets with 1.3 billion consumers. Recognizing the importance of foreign capital, Türkiye prioritizes industry, development, and employment and offers benefits to investors, such as valuable practices outlined in domestic legislation, procedural exceptions, arrangements to protect investments and investors, and project-based incentives.

In Türkiye, foreign investors can benefit from lower investment costs due to currency differences and quickly obtain cash, loans, and investment incentives. High labor potential owing to a young working-age population, low labor costs, and efficient work hours make the country an ideal place for foreign investment. Investors are also drawn to the nation's support for international R&D activities and technological innovations, its advanced sea, air, and land transportation systems, and vital tourism and healthcare sectors.



Investment Options

Investors can collaborate with any organization or launch any enterprise in Türkiye. The key to investment planning is to maximize income at the lowest possible cost and quickly satisfy investor expectations and goals. As such, investors should obtain expert advice from specialists familiar with the relevant country's culture, legislation, official procedures, inter-institutional interactions, international partnerships & agreements, and investment incentives & zones. These specialists can analyze the

crucial aspects of relevant concerns while prioritizing the investor's best interests to guarantee the investment's profitability.

Türkiye welcomes investments from natural persons and legal entities as follows:

• Natural Persons:

If the investor is a Natural Person, they may invest in Turkish businesses as natural persons, become shareholders in Turkish companies, acquire securities, invest in fixed capital, and buy real estate.

• Legal Entities:

If the investor is a legal entity, they can establish an enterprise, a branch, or an office in Türkiye or become a shareholder in Turkish firms through their own company abroad.

Natural Persons or Legal Entities should consider the following before taking any concrete action regarding their investment: the investment's location, sector, subject, capacity, and cost; the instruments, loans, and incentives to exploit during the investment; the risks involved; their expectations in the short and long terms; and any other financial considerations. Undoubtedly, in addition to investment-related factors, investors should also take into account factors relevant to the region of investment, including its current environment, legislation, cost due to the foreign exchange difference, economic growth and development, local market diversity, competitiveness, consumer index, inflation balance, political conditions, and international relations, to develop a road map based on the necessary actions. Other factors that do not immediately influence investment plans



but can emerge over time include the following: industrial competition, target consumers, culture, and transport capabilities in the chosen region; whether the part is suitable for exportation; the structure and operation of the manufacturing plant and the relevant long-term financial risks; whether there is an authorized trade union; how to draft collective bargaining agreements; and the employer-employee relations. Indeed, it is not uncommon to see companies facing financial difficulties due to the operation of plants, as well as strikes and lockouts, despite their capital, brand value, market recognition, competitiveness, and

strong production capacity, thus being on the verge of permanently ceasing operations. Therefore, investors should consider both theoretical and practical factors. For instance, a company established in Region A may obtain excellent results with rapid growth, while another company operating in Region B with identical qualities may not get the same favorable results. Thus, each factor should be strategically considered while choosing the location of investment. To that end, investors should consider instances for each element and their advantages and disadvantages while planning the process.

Different Enterprise Zones and the Advantages of Each

Türkiye offers three types of enterprise zones:

Technology Development Zones (TDZs) - Technoparks: These sites feature cutting-edge capabilities to facilitate R&D efforts for the participants to produce or develop technologies or software and to turn their inventions into commercial products, methods, or services.

Thus, universities, research institutions & organizations, and manufacturing industries collaborate to create a globally competitive, innovative, and export-oriented industrial structure. The goal is to raise production quality and standards, increase efficiency, decrease production costs, commercialize knowledge, support technology-focused production efforts and startups, and create new investment opportunities by meeting investors and entrepreneurs.



Organized Industrial Zones (OIZs):

These sites refer to legal entities that are built based on specific zoning plans as per OIZ regulations and conduct operations defined in the legislation to ensure efficient industrial activities and standardized premises by grouping manufacturing plants and meeting their infrastructural and other needs for land, transportation, energy, fuel, water, industrial wastewater treatment plants, raw materials, etc. while preventing unplanned urbanization and mitigating the adverse environmental effects of industrial operations.

The main advantage of OIZs is that they give producers access to affordable, long-term lands with the required physical and social infrastructure. These sites help companies create standard environmental policies, communication materials & plans, and service points. Here, businesses operate independently in a regular, planned area with practical infrastructure and physical needs solutions. Thus, they can build networks, expand their operations, collaborate with other businesses to improve energy and material efficiency, and have a direct say in the running of the zone. Now that OIZs are managed by a general assembly rather than a committee of entrepreneurs, each member has the right to vote on OIZ decisions and the authority to affect the systems and functions of the zone.

Free Zones

Free Zones are included in a country's political limits but excluded from its customs zones. Therefore, they refer to areas where legal and administrative regulations on commercial, financial, and economic matters are not implemented or partially implemented; comprehensive incentives for industrial and commercial activities and projects promote export-oriented investments. In Türkiye, free zones are often found around ports on the Mediterranean, Aegean, and Black Seas and in locations with easy access to global trade routes.

Investors that aim to export might prefer these zones to take advantage of incentives, tax relief, profit transfers, and convenient trade regimes.

Investment Incentives

Türkiye offers many incentives to investors based on their investment plans, categorized under general incentives, regional incentives, priority investments (e.g., renewable energy, test control systems), and strategic acquisitions.

These investment incentives include VAT exemption, customs duty exemption, tax relief, employer support for insurance premium payments, employee support for insurance premium payments, support for income tax withholding, interest or dividend support, allocation of investment locations, VAT refund, stamp duty exemption, fee exemption, the exemption for resource utilization support fund, property tax exemption, and discounting of depreciation.



Conclusion

The abovementioned issues offer a helpful overview of the subject from a legal standpoint. However, because investment procedures are incredibly complicated and entail both profits and losses, investors need certain information for their investment with specific concerns, sectors, scope, and geography. Therefore, a profitable investment requires seeking advice from experts who share their expertise and experience in investing along with their innovative and visionary views to help their clients achieve long-term success.

Birgi Sucuer, Managing Associate



Guest Sector





Digital Transformation in the Banking Sector - Next Generation Banking

The establishment of communities, sedentism, and the invention of money laid the foundations of our current financial system. As human history progressed, the growth of commerce and the creation of new financial instruments were inevitable. Tracing the historical development of the banking system, we see that money changer preceded financial institutions. Although our history with money dates back to antiquity, the term “bank” is said to have originated from the Italian “banco” tables on which money changers traded.¹

Modern banking can be traced back to the Bank of Amsterdam in the Netherlands in the 17th century. Important milestones of today’s banking system included colonialism, the Industrial Revolution, nation-states’ creation, and capitalism’s conceptualization.

In the 20th century, technological advances and globalization enabled the creation of the first ATM and the first credit card, followed by rapid leaps in the sector, such as mobile banking, which became popular with the widespread use of the Internet.

¹ Yetin, F. (2016), Bankacılığın Doğuşu ve Türk Bankacılık Sistemi, Niğde Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi, Volume 9, Issue 2



Turkish Banking Sector

Banking in Türkiye dates back to the Ottoman period in the 19th century when Galata Bankers founded the first bank, Bank of Istanbul, in 1847. However, the Bank of Istanbul did not operate for long. Therefore, the Ottoman Bank, founded in 1856, is regarded as the first bank in the Ottoman Empire.² In the republican era, the goal was to improve national banking to foster development across the nation and facilitate commercial activities. In the period up to the 2000s, when that private banks followed the establishment of public banks, government institutions were founded to govern capital and financial markets with the enactment of new regulations, and the banking system underwent structural transformations in response to economic crises while continuing to develop.



Digital Banking

A long-established industry, banking is also known for quickly adopting cutting-edge technologies and successfully integrating digital features into its current offerings. “Digital banking” may be a feature that enables customers to complete their transactions online without visiting the bank. Thanks to digital banking, customers can access different financial services such as money transfers, credit transactions, bill payments, card payments, donations, and insurance processing, whenever they want, without visiting a bank.

² Yetin, F. (2016), Bankacılığın Doğuşu ve Türk Bankacılık Sistemi, Niğde Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi, Volume 9, Issue 2



The Turkish Statistical Institution estimates that 82.6% of 16–74-year-olds will use the Internet in 2021. With the increasing usage of the Internet and robust financial systems, the number of people accessing digital banking services expanded from 35 million in 2017 to roughly 70 million by 2021. As for age groups, the top users of digital banking services and products were people between the ages of 36 and 55, followed by those between the ages of 18 and 25.³

Meanwhile, growing competition in the banking and financial industries has given rise to Fintech companies, sometimes referred to as neo-banks, digital banks, etc., globally and are subject to various legislation in different jurisdictions. Offerings from Fintech companies include banking, electronic money, insurance, and payment systems. Fintech companies serve customers digitally, without a branch, and can obtain a banking license if permitted by the legal system of the relevant nation. Banks in Türkiye are rapidly integrating financial technology products into their services. At the same time, the regulatory authority has set up a separate category for digital banks that do not have branches and outlined the relevant licensing regulations.

³ The Banks Association of Türkiye

To facilitate access to banking services and regulate financial innovations, the Banking Regulation and Supervision Agency published and enforced the “Regulation on the Operating Principles of Digital Banks and Banking as a Service Model” in Official Gazette no. 31704 in December 2021. The Regulation lays out specific requirements for digital banking, including the definition of a digital bank and banking as a service model, as well as the activities and operational limits of a digital bank, the conditions under which financial institutions may operate as digital banks along with the activities they may engage in, the scope of the business plan and the activity program that should be used, and physical service points for customer complaints.⁴



Financial technologies maximize public use of economic tools while promoting commercial activity. In this framework, the Digital Banking Regulation has facilitated the broader use of financial capabilities by requiring that credit clients of digital banks exclusively consist of financial consumers and SMEs.

Financial inclusion is also encouraged in the “Regulation on Remote Identification Methods to be Used by Banks and Establishment of Contractual Relations in Electronic Environment,” published by the Banking Regulation and Supervision Agency in Official Gazette no. 31411 of April 2021. This regulation requires banks to take appropriate measures given potential cyber risks in the digital world.

The Turkish banking system embraces new generation banking and enhances customer experience thanks to its young population, efficient banking system, and rapid technological adoption. Public authorities enact regulations to maximize economic gain while minimizing associated risks in this context.

İclal Arguç Demirtaş,

Head of Technology and Business Development Departments

⁴ 4. Official Gazette, 29 December 2022, No: 31704



News to the World

Communiqué on the Prevention of Unfair Competition in Imports (No: 2022/19)



The Ministry of Trade published the “Communiqué on the Prevention of Unfair Competition in Imports (No: 2022/19)” in Official Gazette no. 31891 of 09.07.2022. Accordingly:

- The Ministry of Trade’s General Directorate of Imports completed its final review investigation regarding the import of “iron (excluding cast iron) or steel seamless line pipes”, registered under the customs tariff position no. 73.04, originating from the People’s Republic of China.
- With the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2016/35), the antidumping tariff was decided to be increased from 100-120 (USD/Tonnes) to 55-75 (USD/Tonnes) for manufacturers/exporters. The General

Directorate of Imports arrived at this decision with reference to article 42 in the Regulation on the Prevention of Unfair Competition in Imports.

For the full text, see:

<https://www.resmigazete.gov.tr/eskiler/2022/07/20220709-3.htm>

Communiqué on the Prevention of Unfair Competition in Imports (No: 2022/20)

The Ministry of Trade published the “Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2022/20)” in Official Gazette no. 31891 of 09.07.2022.

- The Communiqué aims to enforce the decree arising from the final review investigation initiated by the Ministry of Trade’s General Directorate of Imports for the import of “iron or steel ropes and cables (including locked coil ropes)” listed under customs tariff statistics positions no. 7312.10.81.00.00, 7312.10.83.00.00, 7312.10.85.00.00, 7312.10.89.00.00 and 7312.10.98.00.00, originating from the



People’s Republic of China and the Russian Federation, pursuant to the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2021/35).

- After the investigation, the General Directorate of Imports determined that dumping and harm were likely to continue or reoccur if the antidumping ruling against products of Chinese or Russian origin was lifted. As a result of the investigation by the Ministry of Trade’s General Directorate of Imports, antidumping measures were decided to be imposed on the listed products of Chinese and Russian origin at the rate of 500 USD/tonnes.

For the full text, see:

<https://www.resmigazete.gov.tr/eskiler/2022/07/20220709-4.htm>

Communiqué on the Prevention of Unfair Competition in Imports (No: 2022/21)

The Ministry of Trade published the Communiqué on the Prevention of Unfair Competition in Imports (No: 2022/21) in the Official Gazette of 07.07.2022. The Communiqué aims to enforce the decree arising from the dumping investigation initiated by the Ministry of Trade’ General Directorate of Imports for the import of “hot-rolled flat steel, alloyed or unalloyed, not subjected to any coating process (except plating)”, originating from the European Union and the Republic of Korea, listed under the customs tariff positions specified in Communiqué No: 2021/4 published in Official Gazette no. 31359 of 09.01.2021

- Following the investigation, the General Directorate of Imports determined that a case of dumping occurred during the importation of the product in question from the EU and South Korea, thus harming domestic production. As a result, with the decision of the Board analyzing the findings of the investigation and the approval of the Minister of Trade, antidumping measures were decided to be imposed on the Turkish import of the product, whose customs tariff statistics position, description and origin are specified in the table in the communiqué, at the respective rates.

For the full text, see:

<https://www.resmigazete.gov.tr/eskiler/2022/07/20220707-15.htm>

Amendment to the Law on the Regulation of Electronic Commerce

“Amendment to the Law on the Regulation of Electronic Commerce” no. 7416, published in Official Gazette no. 31889 of 01.07.2022, stipulates the following:

- E-commerce intermediary service providers may not organize delivery services and provide postal services pursuant to the terms specified herein.

- E-commerce service providers violating this rule will be subject to fines.

- E-commerce intermediary service providers with net transaction volumes of TRY10 billion, TRY30 billion and TRY60 billion will be charged with additional liabilities and operational limitations.

- Unless otherwise provided, the intermediary service provider will not be liable for any violations regarding the service provider’s content, goods, or services.

- Unless otherwise provided, the intermediary service provider will not be liable for any violations regarding the service provider’s content, goods, or services.

- There are specific terms for businesses that are required to obtain a license from the Ministry of Trade, or renew it, in order to continue operations.

- E-commerce intermediary service providers are obligated to have fulfilled these obligations until 01.01.2024. Licensing obligation will be fulfilled as of 01.01.2025.

For the full text, see:

<https://www.resmigazete.gov.tr/eskiler/2022/07/20220707-2.htm>



Istanbul Finance Center Law

The highlights of “Istanbul Finance Center Law” no. 7412, published in Official Gazette no. 31880 of 28.06.2022, are as follows:

- The Finance Office of the Presidency of Türkiye will award a certificate of participation to corporations that will operate in Istanbul Finance Center (“IFC”).

- Financial services provided by financial services companies to non-residents after obtaining a certificate of participation will be deemed as financial service exports, provided that the service is only exploited overseas.

- Obligation to keep accounts and books in Turkish will not apply to IFC corporations.

- 75% of the earnings from financial service exports will be deducted from the corporate income in the determination of the Corporate Tax base. The corporate tax relief rate will be 100% for the earnings obtained between 2022-2031.

- Banking and insurance transactions tax, as well as paper fees and other fees, arising from financial service exports, will be exempt from the stamp tax.

- Financial activity fees will not be collected from these corporations’ headquarters and branches for 5 years.

- Transactions regarding the leasing of immovable properties will be exempt from any fees and the stamp tax.

- The real net value of the monthly wage paid to the IFC personnel of the financial services companies with a certificate of participation will be exempt from income tax at the rate of 60% for people with at least 5 years of professional experience abroad and 80% for people with at least 10 years of professional experience abroad.

For the full text, see:

<https://www.resmigazete.gov.tr/eskiler/2022/06/20220628-16.htm>



Decree on the Amendment to the Decree on the Transfer of Resources to Upper Funds (Decree No: 5628)

“The Presidential Decree on the Amendment to the Decree on the Transfer of Resources to Upper Funds” entered into force after being published in Official Gazette no. 31855 on 03.06.2022. Accordingly:

- Funds established by institutions and organizations whose more than 50% is publicly owned will not be subject to the requirements imposed on founders and portfolio managers to commit resources to a fund in the selection of lower and upper funds pursuant to article 4 in Decree on the Transfer of Resources to Upper Funds, enforced with Cabinet Decree no. 2014/5932 of 05.02.2014.
- The total amount of resources to be committed to upper funds will be TRY3 billion, excluding currency differences, for 5 years from 30.06.2022 to 30.06.2027. The amount will be calculated excluding the expenses and fees relevant to the upper funds, and the foreign exchange differences that may occur in case of commitment in foreign currency.

For the full text, see:

<https://www.resmigazete.gov.tr/eskiler/2022/06/20220603-3.pdf>



Communiqué (No: 2022/21) on the Amendment to the Communiqué on the Maintenance of Turkish Lira-Denominated Securities for Foreign Currency Liabilities (No: 2022/20)

The Central Bank of the Republic of Türkiye published the Communiqué (No: 2022/21) on the Amendment to “the Communiqué on the Maintenance of Turkish Lira-Denominated Securities for Foreign Currency Liabilities (No: 2022/20)” in Official Gazette no. 31882 of 30.06.2022. With the amendment, a clause was added to article 7 in Communiqué no. 2022/20, which states that the value of the securities to be considered for maintenance will be calculated as per the procedures and principles to be determined by the Central Bank.

For the full Communiqué, see:

<https://www.resmigazete.gov.tr/eskiler/2022/06/20220630-9.htm>



Banking Regulation and Supervision Agency Decision No. 10250

“Banking Regulation and Supervision Agency Decision No. 10250” became effective on 24.06.2022. The decision imposes a foreign asset limit on companies wishing to use loans in TRY. The highlights of the decision are as follows:

- A company subject to independent audit may not use loans if the TRY equivalent of its foreign cash assets exceeds TRY15 million and if these foreign cash assets exceed 10% of the company’s total assets or net sales revenue of the last year, recognized in its most recent financial statements, whichever is greater. Companies that fulfill all the three conditions may not benefit from new commercial loans in cash in TRY.

- Pursuant to the legislation, if companies that are not allowed to use foreign currency loans get an independent audit firm approve the presence of a foreign currency net position gap in the last 3 months and submit the ensuing document to a bank, they will be able to obtain cash loans in TRY. Alternatively, companies whose foreign currency cash assets are worth less than TRY15 million will be exempted from this restriction if they get an independent audit firm determine that their foreign currency cash assets as well as their total assets and net sales revenue for the last year, recognized in their most recent financial statements, will not exceed 15 million.

For the full text, see:

<https://www.bddk.org.tr/Mevzuat/DokumanGetir/1127>





News from Şengün

Events



Manisa Organized Industrial Zone Innovation Center, and Zafer Development Agency organized a panel titled “The Role of the Supply Industry in the Future of the Automotive Industry” on 23.06.2022. Our two attorneys from İzmir, Birgi Sucuer and Özge Okay, were present at this panel. In the context of digital transformation in the automobile industry, the panel hosted presentations on the mobility ecosystem of businesses operating in Türkiye and what suppliers are required during the transition phase. In the meeting, the speakers and participants discussed mobility innovations in the automotive industry, self-driving cars, efforts to reduce carbon emissions under the Paris Agreement and the European Green Deal, and any risks and opportunities in the industry.



News



ŞENGÜN AKADEMİ

It is our pleasure to announce that Şengün Academy will start its activities in August.

Sources

Yetin, F. (2016), Bankacılığın Doğuşu ve Türk Bankacılık Sistemi, Niğde Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi, Volume 9, Issue 2

Yetin, F. (2016), Bankacılığın Doğuşu ve Türk Bankacılık Sistemi, Niğde Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi, Volume 9, Issue 2

The Banks Association of Türkiye

Official Gazette, 29 December 2022, No: 31704

<https://www.resmigazete.gov.tr/eskiler/2022/07/20220709-3.htm>

<https://www.resmigazete.gov.tr/eskiler/2022/07/20220709-4.htm>

<https://www.resmigazete.gov.tr/eskiler/2022/07/20220707-15.htm>

<https://www.resmigazete.gov.tr/eskiler/2022/07/20220707-2.htm>

<https://www.resmigazete.gov.tr/eskiler/2022/06/20220628-16.htm>

<https://www.resmigazete.gov.tr/eskiler/2022/06/20220628-16.htm>

<https://www.resmigazete.gov.tr/eskiler/2022/06/20220603-3.pdf>

<https://www.resmigazete.gov.tr/eskiler/2022/06/20220630-9.htm>

<https://www.bddk.org.tr/Mevzuat/DokumanGetir/1127>

İSTANBUL

Atatürk Mah. Sedef Cad. 31 Ada Ataşehir
Residence B Blok K4 D.17 D.18 D.92
34758 Ataşehir

Ofis 1. Yönetim, Ofis 2. İş ve Toplantı

Ofis 3. Kurucu, Ofis 4. İş ve Toplantı

Ofis 5. İş ve Toplantı

T: +90 216 456 94 02

ANKARA

Kızılırmak mah. 1450. Sokak Hayat Sebba
E blok No:7 Daire:2 Çankaya, Ankara

Ofis 7. İş ve Toplantı

T: +90 312 284 31 35

İZMİR

Adalet Mah. Manas Bulvarı Folkart
Towers B Kule K.37 D. 3702 3703
Bayraklı 35530

Ofis 6. İş ve Toplantı

T: +90 232 502 68 68

LONDRA

Berkeley Suite35 Berkeley
SquareMayfair , LondraW1J 5BF

Ofis 8. Toplantı

T: +44 20 7692 0717

VİYANA

Tuchlauben 7a A 1010

Ofis 9. Toplantı

T: +43 7 20775110

MİLANO

Via Santa Maria Valle 3, Milano, Milano,
20123, Italy

Ofis 10. Toplantı

T: +39 800 141 726

